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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,255	02/13/2002	Mansour Tahernezhaadi	29250/CE08787R	8581
22917	7590	03/08/2006	EXAMINER	
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			WONG, BLANCHE	
			ART UNIT	PAPER NUMBER
			2667	

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/076,255	Applicant(s) TAHERNEZHAADI ET AL.	
	Examiner Blanche Wong	Art Unit 2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>Feb'02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. **Claims 1 –16,18,20-28** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5, ln. 5, whether – a plurality of decoders – is the same as – one or more decoding devices – in ln. 1.

Claim 5, ln. 6, should read “a de-tagging and scheduling device configured to ...”.

Claim 12, ln. 1, it is unclear which of -- the decoding devices -- in claim 5.

Claim 13, ln. 5, it is unclear which of – the one or more decoding devices – in claim 5.

Claim 18 depends on itself.

Claim 20, ln. 6, whether – a plurality of decoders – is the same as – one or more decoding devices – in ln. 3.

Claim 22, ln. 1, it is unclear which of -- the plurality of decoders – in claim 20.

Claim 23, ln. 1, and claim 26, ln. 1, and claim 27, ln. 1, it is unclear which of – the one or more decoding devices – in claim 20.

3. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the multi-party communication bridge" in ln. 3-4.

Claim 5 recites the limitation "the packet based signals" in ln. 6-7 and "the tags" in ln. 7.

Claim 16 recites the limitation "the tag" in ln. 1.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claim 1** is rejected under 35 U.S.C. 103(a) as being unpatentable over Aznar et al. (U.S. Pat No. 6,907,007) in view of Horiuchi et al. (U.S. Pat No. 5,930,237).

With regard to cl. 1, Aznar discloses

a multi-party communication device (multiple switching nodes, col. 1, ln. 20) configured to accept a plurality of types (different priority in priority-based, col. 1, ln. 32) of communication signals from multiple parties via a transport network (an ATM network, col. 1, ln. 19), a multi-party communication bridge (control cell injection system, col. 4, ln. 2; see also Fig. 4) including:

one or more tagging devices (injection switching node 49 in Fig. 4, col. 4, ln. 12) that are each configured to respectively tag (append routing header 61 in Fig. 4; see also routing label appending function 61, col. 4, ln. 40) incoming communication signals (OAM cell 59 with injection flag in Fig. 4, col. 4, ln. 5) with predetermined information particular to each signal (SRL, col. 4, ln. 16); and

a controller (switch 44 in Fig. 4, col. 4, ln. 45) configured to combine the tagged output signals (OAM cell 59 with SRL in Fig. 4, col. 4, ln. 45) from the one or more tagging devices into data packet signals (same data flow process, col. 4, ln. 51).

However, Aznar fails to explicitly show transmit the data packet signals to each of the multiple parties via the transport network.

In an analogous art, Horiuchi discloses transmit the data packet signals to each of the multiple parties via the transport network (ATM network to multicast each ATM cell, col. 3, ln. 9-10).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include transmitting the data packet signals to each of the multiple parties via the transport network. The suggestion/motivation for doing so would have been to provide for each cell need only to be relayed once per video conference terminal in a multi-point video conferencing system for use in an ATM network.

Horiuchi, col. 1, ln. 33-34 and col. 2, ln. 3. Therefore, it would have been obvious to combine Horiuchi with Aznar for the benefit of exponential reduction in ATM cell traffic, to obtain the invention as specified in claim 1.

6. **Claim 17** is rejected under 35 U.S.C. 103(a) as being unpatentable over Azner in view of Todd (U.S. Pat No. 5,072,442) and Horiuchi.

With regard to cl. 17, Azner discloses

receiving a plurality of types of communication signals within a multi-party communication infrastructure from multiple parties via a transport network in communication with the infrastructure; and

tagging received communication signal with a corresponding tag that includes predetermined information particular to each signal.

However, Azner fails to explicitly show combining the tagged output signals into a single data packet; and transmitting the single data packet to the multiple parties over the transport network to effect a multi-party communication session.

In an analogous art, Todd discloses combining signals into a single data packet (combines audio signals from multiple nodes to produce 'combined audio' packets, col. 5, ln. 63-65); and Horiuchi discloses transmitting the single data packet to the multiple parties over the transport network (ATM network to multicast each ATM cell, col. 3, ln. 9-10) to effect a multi-party communication session (a multi-point video conferencing system for use in an ATM network, col. 1, ln. 32-33).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include combining the tagged output signals into a single data packet. The suggestion/motivation for doing so would have been to provide for simultaneous communications among multiple subscribers of different network architectures. Todd, col. 1, ln. 30-32. It would also have been obvious to include transmitting the single data packet to the multiple parties over the transport network to effect a multi-party communication session. The suggestion/motivation for doing so would have been to

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provide for each cell need only to be relayed once per video conference terminal in a multi-point video conferencing system for use in an ATM network. Horiuchi, col. 1, ln. 33-34 and col. 2, ln. 3. Therefore, it would have been obvious to combine Todd and Horiuchi with Azner for the benefit of simultaneous communications among multiple subscribers of different network architectures and exponential reduction in ATM cell traffic as in Horiuchi, to obtain the invention as specified in claim 17.

Allowable Subject Matter

7. Claim 2-16,18-31 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blanche Wong whose telephone number is 571-272-3177. The examiner can normally be reached on Monday through Friday, 830am to 530pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BW

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February 20, 2006


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